

<b>AMENDMENT TRANSMITTAL LETTER</b> Under Small Entity Status				Attorney Docket No: PAT034US		
Application Serial Number: 09/993,239		Filing Date: 11/13/2001		Examiner: DAVIE, JAMES W		Art Unit: 2828
Invention: VCSEL WITH ION-IMPLANTED CURRENT-CONFINEMENT STRUCTURE						
TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	47	MINUS	75	0	\$9	\$ 0.00
INDEP. CLAIMS	3	MINUS	5	0	\$44	\$ 0.00
<p>_____ Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>10/28/2004</u> to and through _____, comprising an extension of the shortened statutory period of:</p> <p style="margin-left: 40px;">             _____ one month (\$55.00)      _____ three months (\$490.00)              _____ two months (\$215.00)      _____ four months (\$765.00)           </p>						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						
<p>_____ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.</p> <p>_____ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.</p> <p>_____ A check in the amount of \$ _____ is attached.</p> <p>_____ Charge \$ _____ to Deposit Account _____.</p> <p><u>X</u> No additional fee is required. While applicant believes no fees are due in association with this filing, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. <u>50-1705</u>.</p> <p style="margin-left: 40px;"> <u>12/2/2004</u>              date           </p> <p style="margin-left: 200px;"> <u>N. Stephan Kinsella</u>              N. Stephan Kinsella              Reg. No. 37657           </p> <p style="margin-left: 40px;">I hereby certify that this correspondence and all correspondence identified as accompanying this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. 703-872-9306) under 37 CFR 1.8(a) on <u>December 2, 2004</u>.</p> <p style="margin-left: 150px;"> <u>N. Stephan Kinsella</u>              N. Stephan Kinsella           </p> <p style="margin-left: 300px;">Reg. No. 37657</p> <p style="text-align: right; margin-right: 50px;"><u>11 PAGES TOTAL</u></p>						

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	§	Group Art Unit:	2828
Wen-Yen Hwang	§	Examiner:	Davle, James W.
Serial No.: 09/993,239	§	Atty. Docket No.:	PAT034US
Filed: 11/13/2001	§	Confirmation No.:	6902
For: Method for Fabricating a VCSEL with Ion-Implanted Current-Confinement Structure (as amended)	§		

MAIL STOP NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATION OF TRANSMISSION  
DATE OF DEPOSIT: December 2, 2004**

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No. 703-672-9306) under 37 CFR 1.8(a) on the date indicated above.

Signature of person transmitting:

  
N. STEPHAN KINSELLA**RESPONSE TO OFFICE ACTION DATED 10/28/2004**

The following amendments and remarks are respectfully submitted in response to the non-final Office Action dated 10/28/2004. In response to the Office action, please amend the above-identified application as follows:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 10 of this paper.